



In Re Application of: Paz EINAT et al

Application No.: 09/802,472

Filed: March 9, 2001

For: SEQUENCES CHARACTERISTIC OF HYPOXIA-REGULATED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 1647

Examiner: Young Kim

Washington, D.C.

Atty.'s Docket: EINAT=4.1C

Date: September 19, 2005

RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1637

THE COMMISSIONER OF PATENTS  
U.S. Patent and Trademark Office  
Randolph Building, Mail Stop Amendments  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Transmitted herewith is a [X] Amendment [X] Budonov Article  
in the above-identified application.

[ ] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. § 1.27.

[ ] No additional fee is required.

[XX] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 5	MINUS	** 20	0
INDEP.	* 2	MINUS	*** 5	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 25	\$
x 100	\$
+ 180	\$
ADDITIONAL FEE TOTAL	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 50	\$
x 200	\$
+ 360	\$
TOTAL	

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
  - \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
  - \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.
- The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time  
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity  
Response Filed Within

- [ ] First - \$ 60.00
- [ ] Second - \$ 225.00
- [ ] Third - \$ 510.00
- [ ] Fourth - \$ 795.00

Month After Time Period Set

- [ ] Less fees (\$ ) already paid for month(s) extension of time on

[ ] Please charge my Deposit Account No. 02-4035 in the amount of \$450.00.

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$450.00.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

Other Than Small Entity  
Response Filed Within

- [ ] First - \$ 120.00
- [XX] Second - \$ 450.00
- [ ] Third - \$ 1020.00
- [ ] Fourth - \$ 1590.00

Month After Time Period Set

BROWDY AND NEIMARK, P.L.L.C.  
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RESPONSE UNDER 37 C.F.R. §1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1637

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: EINAT=4.1C

In re Application of:	)	Conf. No.: 7736
	)	
Paz EINAT et al	)	Art Unit: 1637
	)	
Appln. No.: 09/802,472	)	Examiner: Young Kim
	)	
Filed: March 9, 2001	)	Washington, D.C.
	)	
For: SEQUENCES CHARACTERISTIC	)	September 19, 2005
OF HYPOXIA-REGULATED GENE	)	
TRANSCRIPTION	)	

**AMENDMENT**

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
Randolph Building, Mail Stop AF  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In response to the Office Action of April 20, 2005,  
petition for a two-month extension of time and payment being  
attached hereto, please amend as follows:

**Amendments to the Claims** begin on page 2 of this  
paper.

**Remarks/Arguments** begin on page 4 of this paper.

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